IV.—GOVERNMENT MOTIONS.

(1) RULE UNDER SECTION 17 (1) OF THE MADRAS MOTOR VEHICLES TAXATION ACT, 1931.

* THE HON. DR. U. KRISHNA RAO :—" Mr. Speaker, Sir, I have a very non-controversial motion to move, and it is this. I move— 12-50 p.m.

'*That the following draft of a rule proposed to be made by the Government of Madras under section 17 (1) of the Madras Motor Vehicles Taxation Act, 1931 (Madras Act III of 1931), amending Schedule II to the said Act, be approved.*

DRAFT RULE.

In the said Schedule II, clauses 5 to 7 shall be renumbered as clauses 6 to 8 and after clause 4, the following shall be inserted as clause 5, namely :—

Classes of vehicles.	*Maximum quarterly tax.* *For vehicles fitted with pneumatic tyres.*	*For other vehicles.*
(1)	(2)	(3)
	RS. A. P.	RS. A. P.
5. Motor vehicles owned by or on behalf of the State Government plying for hire and used for the transport of passengers—		
(i) vehicles intended to carry more than five persons and plying exclusively in the City of Madras—		
(a) for every seated passenger (other than the driver and the conductor) which the vehicle is intended to carry ..	*23 0 0*	*35 0 0*
(b) for every passenger (other than a seated passenger, the driver or the conductor) which the vehicle is intended to carry	*5 11 0*	*8 8 0*

Classes of vehicles.	*Maximum quarterly tax.* *For vehicles fitted with pneumatic tyres.*	*For other vehicles.*
(1)	(2)	(3)
	RS. A. P.	RS. A. P.
(ii) Vehicles intended to carry more than five persons and not plying exclusively in the City of Madras—		
(a) for every seated passenger (other than the driver and the conductor) which the vehicle is intended to carry.	*30 0 0*	*45 0 0*
(b) for every passenger (other than a seated passenger, the driver or the conductor) which the vehicle is intended to carry	*10 0 0*	*15 0 0*‡

Sir, Schedule II to the Madras Motor Vehicles Taxation Act, 1931, which provides for levy of tax on various classes of motor vehicles does not specifically provide for assessment of tax on buses for which no permits are necessary under the existing law. Clause 4 of that schedule prescribes the rates of tax payable in respect of motor vehicles plying for hire and used for the transport of passengers and in respect of which *permits have been issued* under the Motor Vehicles Act, 1939. The point was raised by the Transport Commissioner that tax under the clause referred to above could not be collected from State buses plying in Madras City for the reason that those buses are exempt from the requirement to take out permits and that therefore the State Transport Department was not bound to pay tax for standing passengers in respect of State buses as demanded by the Commissioner of Police. As it was intended that no concession which was not shown to a private operator should be allowed to the State Transport Department, it was decided that the State Transport Department should pay tax both for sitting passengers as well as standing passengers in respect of State buses at the rates prescribed in clause 4 of Schedule II, i.e., at the rates applicable to private buses, and that Schedule II should be amended suitably to legalize the existing practice of collection of tax in respect of State buses. It is therefore proposed to insert a new clause in Schedule II to the Madras Motor Vehicles Taxation Act prescribing the rates of tax payable in respect of State buses.

" It is a mere coincidence that this notification came on the agenda along with the Madras Motor Vehicles (Taxation of Passengers and Goods Bill). This may have created an impres sion in the minds of the hon. Members that we as Government

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are claiming something which is not given to private operators. May I take this occasion to remove that impression? It is by mere coincidence that the items are on the Agenda at the same time but the intention of the two are quite different. By introducing this draft rule we will say that the Government buses in Madras should pay for sitting and standing passengers as much as private buses."

SRI T. VISWANATHAM :—" To whom do the Government pay? They pay to themselves."

* THE HON. DR. U. KRISHNA RAO :—" It is just one item in the calculation of profits and losses. Account will be taken of all taxes paid by the Government which normally an individual will have to pay to Government. I hope the House approves of this draft rule."

* THE HON. SRI C. RAJAGOPALACHARI :—" Just a word of explanation in addition to what my Hon. Colleague has already said. To make it clearer, I wish only to say this. The idea is that in calculating on a commercial basis, the accounts of the Government Transport Department in the City should take note of expenditure for the payment of taxes. Hitherto under the rules as they stood, no tax was leviable on Government buses, and, therefore, it appeared as though they were escaping this tax and showing a profitable administration. The Accountant-General requires that we should show all expenditure legitimately as in the case of private companies, and then show that we are managing properly. This is only a rule made in order to bring the accounts into order from that point of view. The rates are the same and the accounts are the same."

* SRI T. VISWANATHAM :—" Sir, I really thought that some more light would be thrown upon this. The Government do not tax their own buildings. They do not pay tax on their properties. (Interruption.) It is not necessary. The Government need not pay taxes because they have their own vehicles. As the Hon. Minister has said, they want to take account of the tax only for purposes of bringing it into the profit and loss account. (The Hon. C. Rajagopalachari : 'Yes'.) That is to say, nobody should criticise the Government that profit is not 'real' profit. That is to say, there should be no criticism that the Government always boast of making huge profits without taking into account the taxes which private operators would have to pay. If I understand them aright, it is just to meet this criticism that they are introducing this resolution. In my humble opinion, they need not have done so. If any commercial concern shows that they have paid taxes, they do pay the taxes, and show those taxes in their account. But why should the Government show payment of taxes in their account which they have not paid? What is the meaning of one department of the Government paying taxes to another department of the Government and bolstering up accounts and expenditure which is not real? It is unnecessary.

It will only add to the work. I should think this is only a make-believe. The municipalities cannot tax their properties. The Central Government buildings cannot be taxed by our Government and by our municipalities. The Government need not tax their own vehicles either. Why should these accounts be pre-
1 p.m. pared? They are prepared just to show that the profits are not very heavy and ultimately the fares of passengers might be increased. The Hon. Minister will one day come forward and say, 'We have to increase the fares of passengers in the City because our profits have fallen.' Now the taxes will be shown on the expenditure side. I only submit that the Government should not start the procedure of taxing their own properties and showing unreal expenditure in their account books. I do not think the Government will be losing anything if this Resolution is not passed."

MR. SPEAKER :—"It is usual for the House to rise at 1 o'clock on Fridays. But I think it is better to sit for five more minutes to pass this Resolution. If the House is prepared to sit, I have no objection."

SRI T. VISWANATHAM :—"Sir, there is only one more non-controversial Bill on the agenda. We have got time for it from 3 p.m. to 5 p.m. So, we may rise now."

MR. SPEAKER :—"The House will now rise for lunch and meet again at 3 p.m."

(After lunch—3 p.m.)

SRI C. V. K. RAO :—"Mr. Speaker, Sir, this draft rule is said to be a non-controversial one. I wish it is a non-controversial one. But as long as there happens to be an opposition, there is nothing that is non-controversial. ప్రభుత్వమువారు ప్రతిపాదించిన యీ డ్రాఫ్టు రూల్ విషయమై సభ్యులు ఎట్టి సంశయాలను కలిగించుకోనక్కరలేదని, వివాదమునకు యిందులో హేతువు ఏదిలేదని మంత్రిగారు తెలివిచ్చారు. అయితే ఒక్క విషయం గమనించాలి. ఈ రూల్ యొక్క అంతర్యాన్ని తరచి చూచి నట్లయితేనేకాని, యిది వివాదాస్పదమైనదో, వివాదరహితమైనదో బోధపడదు. ప్రభుత్వ యాజమాన్యాన నిర్వహింపబడుతూన్న మద్రాసు బస్ సర్వీసు లాభకరంగా ఉన్నదా, నష్టాన్ని కలిగిస్తూన్నదా అనే విషయాన్ని జాగ్రతగా పరిశీలించవలసివుంది. జమా ఖర్చు లెక్కలు చెప్పే విషయంలో ఎన్ని ఉపాయాలనైనప్పటికి ఉపయోగించవచ్చు. ఈ జమా ఖర్చు లెక్క తనిఖీ చేసేది ప్రభుత్వోద్యోగులే. ఏమైనప్పటికి మద్రాసు బస్ సర్వీసువల్ల లాభమే వస్తూన్నది అనుకొందాము. మోటారు రవాణా వ్యాపారాన్ని జాతీయం చేయడంవల్ల ప్రయాణీకులకు కార్మికులకు కలిగిన లాభాలు సదుపాయాలు ఏమిటో గుర్తించిన తరువాతనే యీ సర్వీసువల్ల ఉపయోగమున్నదో లేదో చెప్పవచ్చు. రాష్ట్రంలోని బస్ రవాణా వ్యాపారం చాలవరకూ వ్యక్తులపరంగానేవుంది. ఆ వ్యాపారస్థులు యీ ప్రభుత్వానికి కేంద్ర ప్రభుత్వానికి యివ్వవలసిన పన్నులన్నింటిని చెల్లిస్తూన్నప్పటికి విశేషంగా లాభాలు సంపాదిస్తున్నారంటున్నారు. అయితే యీ ప్రభుత్వంవారు యితర వ్యక్తులవల్లనే

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పన్నులను చెల్లిస్తున్నారా ? అయినట్లయితే ప్రభుత్వానికి వచ్చే లాభాం వ్యక్తులు సంపాదించే లాభానికి పోలివుంటుందా అని అడుగుతున్నాను.

" వాస్తవానికి ప్రభుత్వంవారు ఎవ్వరికి పన్ను చెల్లించుకోనక్కరలేదు. వారి బస్సులపై వారు పన్నులను వసూలు చేయనవసరంకూడా లేదు. కాని ఎక్కౌంటెంటు-జనరల్ ఏదో అభ్యంతరం తెలిపారని, వ్యక్తులు తమ బస్సులకుగాను చెల్లించుచున్న పన్నులను ప్రభుత్వంవారుకూడా చెల్లించుచున్నట్లు జమా ఖర్చు లెక్కలలో చూపుటకే యీ రూలు ఉద్దేశింపబడినదని, మంత్రిగారు వారి ఉపన్యాసంలో తెలియజేశారు. జమా ఖర్చు లెక్కలలో క్రెడిట్, డెబిట్, గేడ్లలో యీ మొత్తాలను చూపించి సరిచేసినట్లయితే మాకేమి అభ్యంతరంవుండదు. కాని యీ పన్నులను మేము చెల్లిస్తున్నాము అందువల్ల బస్సు రేట్లు పెంచుతాము, లేదా డ్రైవర్లకు కండక్టర్లకు యితర కార్మికులకు యిచ్చే జీత బత్తాలు, బోనసులు తగ్గిస్తాము అని అంటేనే, మేము యీ రూలును వ్యతిరేకించవలసివుంటుంది. వాస్తవానికి యీ రూల్‌వల్ల చెప్పుకోదగ్గ ప్రయోజనమేమీయూలేదు. ఎక్కౌంటెంటు-జనరల్‌గారు ఏదో అభ్యంతరం తెలిపారు గనుక దానిని సరిచేయటానికే యీ రూల్ తెచ్చారో, లేక వేరేకారణాలు ఏమైనా ఉన్నాయో మంత్రిగారు స్పష్టపరచాలి. ఏ పరిశ్రమమైనప్పటికి జాతీయం చేసినందువల్ల ప్రజలకు లాభం కలుగవలసివుంది. ఆ ఆశయాన్ని దృష్టిలో పెట్టుకునే యీ నిబంధనను చేయవలసినదని కోరుతున్నాను. ప్రయాణీకులకు, కార్మికులకు ఎట్టి నష్టం సంభవించదు అనే విషయాన్ని మంత్రిగారు స్పష్టంచేయాలి."

THE HON. DR. U. KRISHNA RAO :—" Mr. Speaker, Sir, the hon. Members have read much between the lines."

SRI VAVILALA GOPALAKRISHNAIAH :—" On a point or order, Sir."

" అధ్యక్షా, నేనుకూడ ఒక సవరణ పంపించాను. ఆ సవరణ దీంట్లో రాలేదు. నేను అస్సెంబ్లీ ఆఫీసుకు పంపించాను."

MR. SPEAKER :—"I do not understand what the Hon. Member says."

SRI T. VISWANATHAM :—The hon. Member says he had given notice of an amendment."

SRI VAVILALA GOPALAKRISHNAIAH :—" 20 రోజుల క్రిందట పంపించాను. దానికి జవాబుకూడా నాకు సెక్రటరీ నుండి వచ్చినది. దానిలో ఒక point వ్రాశారు."

MR. SPEAKER :—" It apears the hon. Member wanted to move that the draft rule be referred to a Select Committee. That is out of order."

* THE HON. DR. U. KRISHNA RAO :—" Sir, as I said, I thought this Resolution was non-controversial. I was just trying to regularise things which we had been doing for some time past. As I explained to you, Sir, we said that the Government transport should put upon itself all the taxes that we put upon individual bus-owners or fleet-owners so that it should not be said that when we showed profits at the end of the year, the Government did not

debit those charges which were legitimately made on private bus-owners and fleet-owners. That is why we wanted to charge in the accounts of our bus transport these expenses. But the Transport Commissioner raised an objection that since, according to the Act, only those buses which were given permits could be taxed and since the Government buses did not run on permits, they could not be taxed. We, therefore, felt that a regularisation of this procedure was necessary.

" Hon. Members will also remember that during the discussions on the Budget, hon. Member after hon. Member in this House and in the Upper House were insisting that I should place before them the balance sheets of this concern. They said that we must consider the bus transport as a commercial concern and that we should be able to place before this House a profit and loss account and complete balance sheet. May I ask how this balance sheet can be complete unless I am able to give the Accountant-General my complete expenses? That is another reason why I think a regularisation and the inclusion of these taxes in the regular expenses is necessary."

SRI T. VISWANATHAM :—" What is the total tax likely to be? "

THE HON. DR. U. KRISHNA RAO :—" For every seated passenger, the maximum quarterly tax is Rs. 23. This has been going on for some time past. I am trying to regularize it."

SRI T. VISWANATHAM :—" What will be the total tax debited under this new head? "

THE HON. DR. U. KRISHNA RAO :—" For every seated passenger, the tax will be Rs. 23, and for every other passenger, it will be Rs. 5-11-0. From this, we will have to calculate the total tax."

SRI T. VISWANATHAM :—" The average number of seats is about 30, the quarterly tax is Rs. 23 per seated passenger and there are 320 buses."

THE HON. DR. U. KRISHNA RAO :—" I would like to add the standing passengers also. We had been paying this for the last year. There is nothing new that I am showing in this account."

SRI T. VISWANATHAM :—" Nothing new!"

3–10 p.m. * THE HON. DR. U. KRISHNA RAO :—" Yes. We have been doing it and I am bringing it here only to regularize what is being done.

" With regard to the point made by the hon. Gentleman Sri C. V. K. Rao, I can straightway assure him that private bus-owners had no hand in this venture. I am not here to defend the private bus-owners or the combines. Whether they are making enough profits or not, this has nothing to do with it. May be that

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they are accusing me of trying to show to the public that the profits in a bus concern are huge. I am not defending their position. But if we want to get at a correct estimate of the profits that the private bus-owners or combines are making, it can be arrived at by a comparison with our figures when we give the proper accounts and when we give the proper balance sheet. It will enable not only the hon. Members of this House but also others outside who are interested in the matter, to arrive at a correct estimate.

"I should also like to tell the hon. Gentleman Sri C. V. K. Rao that the Government have no intention whatever by regularising this procedure, to reduce the amenities to the passengers or the emoluments of the workers. I should not be misunderstood if I tell the hon. Members of this House that perhaps the Government Transport, after the recent announcement of the Hon. the Chief Minister, could easily be said to be the best bus-owner in regard to the facilities and emoluments offered to its workers. Now, I can only say that my Friends need have no apprehension that this is the thin end of the wedge for the purpose either of increasing the passenger fares or of decreasing the emoluments of the workers or of reducing the amenities available to the passengers. It is far from the truth. I can assure the House that we never intend to do it. We will come before the House and say what we wish to do. It is not as if we are afraid of coming before the House.

"I repeat that we want to pass this Resolution to regularize the irregular procedure that has been adopted. Hon. Members need not read between the lines. It is a simple process and I think I have convinced the House that this is a non-controversial rule. I would appeal to the House to accept the draft rule."

Mr. SPEAKER :—" The question is—

'That the following draft of a rule proposed to be made by the Government of Madras under section 17 (1) of the Madras Motor Vehicles Taxation Act, 1931 (Madras Act III of 1931), amending Schedule II to the said Act, be approved.

Draft Rule.

In the said Schedule II, clauses 5 to 7 shall be renumbered as clauses 6 to 8 and after clause 4, the following shall be inserted as clause 5, namely :—

Classes of vehicles.	Maximum quarterly tax.	
	For vehicles fitted with pneumatic tyres.	For other vehicles.
(1)	(2)	(3)
5. Motor vehicles owned by or on behalf of the State Government		

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Clrsses of vehicles. (1)	Maximum quarterly tax. For vehicles fitted with pneumatic tyres. (2)	For other vehicles. (8)
	RS. A. P.	RS. A. P.
plying for hire and used for the transport of passengers—		
(i) vehicles intended to carry more than five persons and plying exclusively in the City of Madras—		
(*a*) for every seated passenger (other than the driver and the conductor) which the vehicle is intended to carry.	23 0 0	35 0 0
(*b*) for every passenger (other than a seated passenger, the driver or the conductor) which the vehicle is intended to carry	5 11 0	8 8 0
(ii) Vehicles intended to carry more than five persons and not plying exclusively in the City of Madras—		
(*a*) for every seated passenger (other than the driver and the conductor) which the vehicle is intended to carry ..	30 0 0	45 0 0
(*b*) for every passenger (other than a seated passenger, the driver or the conductor) which the vehicle is intended to carry	10 0 0	15 0 0"

The motion was carried.

(2) AMENDMENT AND RULE UNDER SECTION 40 (1) OF THE MADRAS ESTATES (ABOLITION AND CONVERSION INTO RYOTWARI) ACT, 1948.

* THE HON. SRI M. A. MANICKAVELU NAICKER :—" Mr. Speaker, Sir, I move—

'*That the following draft amendment and rule which it is proposed to make, in exercise of the powers conferred by section 40 (1) of the Madras Estates (Abolition and Conversion into Ryotwari) Act,* 1948 (*Madras Act XXVI of* 1948), *be approved :—*

I. DRAFT AMENDMENT.

In rule 1 *of the rules published with Revenue Department notification, dated the* 21*st December* 1949, *at pages* 397–398 *of the Rules Supplement to Part I of the* Fort St. George Gazette, *dated the* 27*th December* 1949, *the words " or partly in cash and partly in bonds issued by the Government " shall be added at the end.*